

Appl. No.: 09/833,607  
Amdt. dated 10/28/2005  
Reply to Office action of 07/29/2005

### REMARKS

This amendment is submitted with a Request for Continued Examination in reply to the outstanding final Office Action dated July 29, 2005. Claims 10-27 currently stand rejected. Applicants have amended independent claims 10, 12-14 and 16-27 to more particularly distinguish the claimed invention from the cited references. Applicants have added new claims 28-33 to further define aspects of the present invention. No new matter has been added by the amendment.

In light of the amendment and the remarks presented below, Applicants respectfully request reconsideration and allowance of all now-pending claims of the present application.

#### Claim Rejections - 35 USC §103

Claims 10-13 and 19-22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Carmada, B., "Using Microsoft Word 97" (hereinafter, "Carmada"). Claims 14-18 and 23-27 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Carmada, and further in view of Crosby et al. (U.S. Patent No. 6,366,302, hereinafter "Crosby").

#### I. Carmada is not a proper reference.

Applicants have amended independent claims 10, 14 and 18 to recite, *inter alia*, that the mobile phone terminal displays information via a browser. As such, it is respectfully submitted that Carmada is not a proper reference because Carmada relates to nonanalogous art. To rely on a reference under 35 U.S.C. §103, it must be analogous prior art. See MPEP 2141.01(a). The two-part test for analogous art requires that "the reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the inventor was concerned." *In re Oetiker*, 977 F.2d 1443, 1446, 24 USPQ2d 1443, 1445 (Fed. Cir. 1992). See also *State Contracting & Eng'g Corp. v. Condotte America, Inc.*, 346 F.3d 1057, 1069, 68 USPQ2d 1481, 1490 (Fed. Cir. 2003) (where the general scope of a reference is outside the pertinent field of endeavor, the reference may be considered analogous art if subject matter disclosed therein is relevant to the particular problem with which the inventor is involved).

Appl. No.: 09/833,607  
Amdt. dated 10/28/2005  
Reply to Office action of 07/29/2005

Carmada is directed to use of Microsoft Word 97, which is in the field of endeavor of word processing. The problem to be addressed in this art is displaying user inputted information on a relatively large display screen in a way that facilitates user modification of the inputted information. The print preview section that is cited against the claimed invention is particularly directed to showing the inputted information as it would appear on a printed page. On the contrary, the claimed invention is directed to browser based viewing and not a word processor. Thus, Carmada and the claimed invention are not in the same field of endeavor. Additionally, the claimed invention is directed to solving a problem of text viewing on a small mobile terminal display screen. Furthermore, the claimed invention is not concerned with viewing displayed information as it would appear on a printed page. There would be no reason for one skilled in browser based text display on a mobile phone to consider Microsoft Word 97 pertinent to an endeavor to display text on a small screen, since Microsoft Word 97 is an application that is unconcerned with such limitations. Therefore, Carmada is not reasonably pertinent to the particular problem with which the inventor was concerned. Thus, Carmada is not an appropriate reference under 35 U.S.C. §103. Since Crosby alone fails to teach a method and terminal as claimed in claims 10-27, it is respectfully submitted that claims 10-27 are not obvious in view of the cited references.

## **II. The independent claims are patentable over the references.**

Even assuming for the sake of argument that Carmada is an appropriate reference under 35 U.S.C. §103 (an assumption with which Applicants disagree), the cited references still fail to teach or suggest every element of the claimed invention. In this regard, Applicants have also amended independent claims 10, 14 and 18 to recite, *inter alia*, selection of the continuous length item causes the element to be displayed as the continuous length element on a single line of the display and selection of the wrapped length item causes the wrapped length element to be displayed on a plurality of lines of the display. In other words, a continuous length element is displayed only on a single line of the display, while a wrapped length element is displayed on multiple lines of the display. Selection of either the continuous or wrapped length items causes a corresponding change in the way in which the element is displayed.

Appl. No.: 09/833,607  
Amdt. dated 10/28/2005  
Reply to Office action of 07/29/2005

Carmada, in general, and the cited passage, in particular, fail to disclose such features. Specifically, Figure 12.13 of Carmada displays a print preview screen capture showing a single page in which elements are displayed on multiple lines. Meanwhile, Figure 12.14 of Carmada displays a print preview screen capture showing multiple pages in which elements are displayed on multiple lines. Thus, each of the cited figures in Carmada fails to teach or suggest at least a continuous length element displayed on a single line of the display. Furthermore, it should be noted that Microsoft Word 97 is well known as being incapable of displaying such an element since text is automatically wrapped when it reaches the right margin. Accordingly, Carmada fails to teach or suggest selection of the continuous length item causes the element to be displayed as the continuous length element on a single line of the display and selection of the wrapped length item causes the wrapped length element to be displayed on a plurality of lines of the display as recited in independent claims 10, 14 and 18.

Crosby is directed to a user interface for mobile telephones in which lists and text fields are utilized. Crosby fails to teach or suggest selection of the continuous length item causes the element to be displayed as the continuous length element on a single line of the display and selection of the wrapped length item causes the wrapped length element to be displayed on a plurality of lines of the display. Furthermore, Crosby is not cited as teaching such feature, but instead is cited as teaching toggling menu options on a mobile phone.

Since Carmada and Crosby each fail to teach or suggest the aforementioned features of independent claims 10, 14 and 18, any combination of Carmada and Crosby also fails to teach or suggest the subject matter of independent claims 10, 14 and 18. Thus, Carmada and Crosby, taken either individually or in combination, do not anticipate, or render independent claims 10, 14 and 18 obvious.

### **III. Dependent claims are patentable over the references.**

Claims 11-13, 15-17 and 19-27 depend either directly or indirectly from a respective one of independent claims 10, 14 and 18, and as such, include all the recitations of their respective independent claims. The dependent claims 11-13, 15-17 and 19-27 are therefore patentably distinct from Carmada and Crosby, individually or in combination, for at least the same reasons

Appl. No.: 09/833,607  
Amdt. dated 10/28/2005  
Reply to Office action of 07/29/2005

as given above for independent claims 10, 14 and 18.

Although the dependent claims are at least patentable due to dependency upon corresponding independent claims that are believed to be patentable, at least a portion of the dependent claims recite additional features which are patentably distinct over the cited references. For example, dependent claims 12 and 16 each recite, *inter alia*, the continuous length element is arranged to be horizontally scrolled over said display to allow a user to view portions of the continuous length element that are not visible on the display due to the continuous length element extending beyond a horizontal boundary of the display.

As stated above, neither Crosby nor Carmada teaches a continuous length element as defined in the claimed invention. However, Crosby and Carmada also fail to teach or suggest such feature of scrolling horizontally to view portions of an element that are not visible due to the element extending beyond a horizontal boundary of the display, as recited in dependent claims 12 and 16. Instead, Carmada specifically illustrates word wrapping in instances in which the text would extend beyond the bounds of the display. Accordingly, dependent claims 12 and 16 are patentable over the cited references.

For all the reasons stated above, Applicants respectfully submit that the rejections of claims 10-27 are overcome.

#### ***Newly Added Claims***

Applicants have added new claims 28-33 to more particularly define aspects of the present invention. The new claims include no new matter and are fully supported by the specification and the drawings of the present application.

Accordingly, it is believed that the new claims are in condition for allowance.

NOT AVAILABLE COPY

Appl. No.: 09/833,607  
Amdt. dated 10/28/2005  
Reply to Office action of 07/29/2005

### CONCLUSION

In view of the amended claims, the new claims and the remarks submitted above, it is respectfully submitted that the present claims are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicant's undersigned attorney to resolve any remaining issues in order to expedite examination of the present invention.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

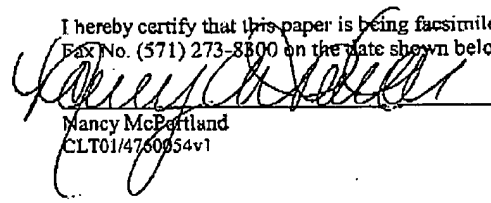


Chad L. Thorson  
Registration No. 55,675

Customer No. 00826  
ALSTON & BIRD LLP  
Bank of America Plaza  
101 South Tryon Street, Suite 4000  
Charlotte, NC 28280-4000  
Tel Charlotte Office (704) 444-1000  
Fax Charlotte Office (704) 444-1111

### CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the US Patent and Trademark Office at:  
Fax No. (571) 273-8800 on the date shown below.



Nancy McPartland  
CLT01/4760854v1

10-28-05  
Date

14 of 14

BEST AVAILABLE COPY